



**BOND, SCHOENECK & KING, PLLC**  
ATTORNEYS AT LAW ■ NEW YORK FLORIDA KANSAS

JOHN G. MCGOWAN, ESQ.  
Direct: 315-218-8121  
jmcgowan@bsk.com

December 18, 2006

**VIA ELECTRONIC FILING**

Hon. Gustave J. DiBianco  
U.S. Magistrate Judge  
United States District Court  
Northern District of New York  
100 South Clinton Street  
Syracuse, NY 13261-7367

Re: *Spero Haritatos v. Hasbro, Inc. and Toy "R" Us (05-CV-930)*

Dear Magistrate DiBianco:

I previously wrote to you to advise of the circumstances relating to the Wall Marjama motion for leave to withdraw from the representation of the plaintiff, Spero Haritatos. Obviously that motion relates to the fact that Attorney Purcell is no longer with Wall Marjama, but has joined Hiscock & Barclay ("H&B"). We thought this Court should be advised that H&B represents Toys "R" Us ("TRU") as local counsel in litigation pending in the Western District and that H&B had requested that TRU waive the conflict so that it (H&B) could pursue TRU in this case.

TRU was distressed to receive word today from Attorney Christopher Blank of H&B that their law firm intended to move for leave to withdraw as local counsel for TRU in the Western District suit. Apparently, H&B seems to think that its "firing" TRU as a client cures the conflict of interest it would otherwise have. We believe such a tactic is an ethical breach, but in any event, we do not want this Court to think that we are being anything but forthright in how we intend to address that tactic if it is pursued.

In the event that H&B makes the unfortunate choice of terminating its relationship with TRU and subsequently enters a Notice of Appearance in the case pending before this Court, TRU will move to disqualify H&B from representing the Mr. Haritatos in this case on the grounds that it has a conflict that it cannot cure by arbitrarily terminating its relationship with TRU.

Respectfully yours,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in cursive script, reading "John G. McGowan".

John G. McGowan  
Bar Roll No. 501388

cc: James R. Muldoon, Esq.  
Kim T. Landsman, Esq.  
Robert Purcell, Esq.

One Lincoln Center, Syracuse, NY 13202-1355 ■ Phone: 315-218-8000 ■ Fax: 315-218-8100 ■ www.bsk.com